



## *CITY OF PLEASANT HILL*

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### **MAJOR SUBDIVISION**

#### Application Guide

#### **WHAT IS A MAJOR SUBDIVISION?**

A subdivision is the division of any improved or unimproved land, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property is considered as contiguous units even if it is separated by roads, streets, utility easements, or railroad right-of-way. "Subdivision" includes a condominium project or a community apartment project. Conveyances of land to public agencies or utilities are not considered division of land.

A major subdivision is any land which is divided into, or proposed to be divided into five or more lots. There are two types of major subdivision applications: tentative maps and vesting tentative maps. The difference is in submittal requirements, and legal rights granted to each.

In reviewing a major subdivision application, the Public Works and Community Development Department will consider such items lot dimensions, driveway size and placement, street placement, existing trees and tree removal, building placement and size, traffic generation, roadway placement and geometry, compatibility with adjoining properties, geologic impacts, aesthetic impacts, and other potential impacts, and will prepare written recommendation to the Planning Commission in the form of a staff report.

Based on the staff recommendation, plus input from any other interested parties, the Commission may then impose various conditions of project approval with respect to neighborhood compatibility factors. Before the Planning Commission makes its final decision, a public hearing is required on each major subdivision application.

#### **WHAT ARE THE SPECIFIC REVIEW CRITERIA FOR A MAJOR SUBDIVISION?**

Staff review is the first step of major subdivision review. Copies of the tentative map are distributed to the Director of Public Works and Community Development, Contra Costa County Fire Protection District, Contra Costa County Water Conservation and Flood Control Districts, the United States Post Office, Contra Costa County Planning Department, Contra Costa County Public Works

Department, Mt. Diablo Unified School District, Pleasant Hill Recreation and Park District, Airport Land Use Commission, appropriate public utilities, and any other governmental agency deemed appropriate.

An application coordination team (ACT) meeting will be arranged as soon as practicable after the tentative map has been filed. At such meeting, the recommendations of all interested parties will be considered.

The Planning Commission shall hold a public hearing on the tentative map, and notice thereof shall be given as provided in the Subdivision Map Act. Any interested person may appear at the hearing and be heard.

The Planning Commission shall determine whether the tentative map is in conformity with the provisions of the Subdivision Map Act and relevant City Ordinances including the Zoning Ordinance. Within 50 days after the filing of the tentative map, unless an extension is made by mutual agreement and resolution, a copy of the tentative map, with accompanying data and statements, and a memorandum setting forth the action of the Planning Commission shall be sent to the Director of Public Works and Community Development. Final approval of the map requires that proper procedures as to possible environmental impact, as required by the California Environmental Quality Act, have been followed.

The Planning Commission may vary the regulations if such a variation complies with the Subdivision Map Act, the City's General Plan, and Zoning Ordinance. In granting any modification, the Planning Commission may require conditions necessary to substantially secure objectives of the standard or requirement modified. To request a modification to the provisions of the Zoning Ordinance, a subdivider must file a letter with the Public Works and Community Development Department stating the reasons why the modification should be granted.

For Vesting Major Subdivisions the applicant shall upon filing, agree in writing to an extension of the fifty-day review period to allow for any concurrent map and development plan processing by the Planning Commission and Architectural Review Commission and the increase in review time necessitated by such processing. If the applicant chooses not to waive the review period, final development plans approved by the Architectural Review Commission shall be submitted with the application for vesting tentative approval.

## **WHAT ARE THE STEPS?**

**Step 1** Preliminary Review - Prior to submittal of a formal application, it is recommended that the applicant discuss the preliminary proposal with staff. The staff can, if requested, respond back in writing regarding project conformity with the Subdivision Map Act, Zoning Ordinance, General Plan, and environmental and neighborhood concerns which may be involved. Applicable site planning, building design, landscaping, and other criteria, and application fee requirements also will be responded to by staff.

**Step 2** Filing the Application - Application for a subdivision shall be made on the Public Works and Community Development Department's Subdivision Application form.

The application form must be accompanied by the additional supporting materials specified by the Public Works and Community Development Department, including plans, drawings, and other project description information necessary to permit adequate review of the proposed action. The application fee is a cost recovery fee, which includes a minimum deposit of \$10,000 at the time of submittal.

A Public Works and Community Development Department staff member will be assigned to review the application materials for completeness. Additional information may be required as staff review of the project progresses.

**Step 3** Environmental Review - Major subdivision applications must go through the City's Environmental Review Process. After submittal of a completed Environmental Information Questionnaire by the applicant, an Initial Study will be completed by the Public Works and Community Development Department which consists of a preliminary evaluation of project relationships to the General Plan and Zoning Ordinance and its potentials for significant adverse environmental effects. If the Initial Study indicates no potential for significant environmental effects, a Negative Declaration (a brief statement describing why an environmental impact report is not required) will be recommended for Planning Commission approval. If, on the other hand, the Initial Study indicates that significant adverse environmental effects may occur, preparation of focused studies or an EIR may be required for Planning Commission approval.

**Step 4** Planning Commission Review - The Planning Commission is required to hold at least one public hearing on the application. At least 10 days (20 days if a Negative Declaration is prepared) prior to the hearing, a notice will be published in the *Contra Costa Times* and a notice mailed to all property owners and residents within 300 feet of the proposed use.

Following completion of required environmental documentation, the Public Works and Community Development Department will prepare a staff report which includes: (1) a description of the proposal; (2) a summary of its relationship to relevant Subdivision Map Act, General Plan and Zoning Ordinance provisions, as well as its environmental, land use, traffic, and other implications; and (3) related staff recommendations with respect to project approval. A copy of this report will be sent to the applicant during the week preceding the Planning Commission hearing. Copies will also be available for public review at the Public Works and Community Development Department.

At the public hearing the staff will present its report and recommendations. Testimony from the applicant and other interested persons will also be permitted. The Planning Commission may then close the public hearing and make a decision to approve or conditionally approve the request, or deny the request, or may postpone the decision and continue the public hearing to a later date so that more information can be provided. After a Planning Commission decision is made, that decision will become final within 10 days unless an appeal is filed as described below.

- Step 5** Architectural Review - Following Planning Commission approval of the subdivision, construction activities associated with the project will also be subject to the City's site plan and architectural review requirements. The Architectural Review Commission has a separate application guide which can be obtained from the Public Works and Community Development Department. Applicants are encouraged to apply for all approvals at the time of their original application to allow concurrent processing.
- Step 6** Filing Final Map - This step is processed by the Engineering Division. The Division has a booklet on its procedures and requirements.
- Step 7** Building Permit Issuance - Once the Final Map has been approved by the City Council and filed with the County, and all application approval requirements and related ordinances have been complied with, the Engineering Division may issue grading permits, and the City Building Inspector may issue a Building Permit if one is required. The Building Inspector will then work to ensure that the project is completed in compliance with all permits, approved plans and related conditions.

## **WHAT MUST BE SUBMITTED?**

All submittal information required in the Subdivision Checklist shall be presented including the Application for Development Review form, and related fees to the Public Works and Community Development Department before the application can be accepted as complete. A letter will be sent to the applicant within 30 days indicating whether the application is complete or incomplete, and why, along with the name of the staff member reviewing the application.

## **MAY A DECISION BE APPEALED?**

You or anyone else who is dissatisfied with the decision of the Planning Commission may appeal that decision to the City Council. To appeal, a written statement and filing fee must be filed with the Public Works and Community Development Director within 10 days after the decision is made at a public meeting. A public hearing will then be set before the City Council to consider the appeal.

If no appeal to a decision is filed within 10 days, the decision will be considered final.

## **WHEN DOES THE PLANNING COMMISSION MEET?**

The Planning Commission holds Public Hearings on the second and forth Tuesday of every month. These meetings commence at 7:30 p.m. and are held in the City Hall Council Chambers.